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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Osamu OKUMURA et al.

Group Art Unit: 2871

Application No.: 09/671,354

Examiner: T. Ton

Filed: September 27, 2000

Docket No.: 038959.01

For: REFLECTIVE COLOR LCD WITH COLOR FILTERS HAVING A PARTICULAR TRANSMISSIVITY

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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In reply to the April 14, 2003 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 30, 31, 33-41 and 44-67 are pending. Claims 34-36, 39-41 and 44-48 have previously been withdrawn from consideration. At this point in the prosecution, Applicants request withdrawn claims 34-36, 39-41 and 44-48 be rejoined and considered.

Applicants gratefully acknowledge the Office Action's indication that claims 37, 38, 60 and 64 are allowed, and that claims 52, 57 and 58 would be allowable if rewritten in independent form.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 30, 31, 33, 49-50, 53-56, 59, 61-63 and 65-67 under 35 U.S.C. §103(a) over U.S. Patent No. 5,365,357 to Ohgawara et al. (hereinafter "Ohgawara"); and claim 51 under 35 U.S.C. §103(a) over Ohgawara in view of U.S. Patent

No. 4,964,702 to Sugimoto et al. (hereinafter "Sugimoto"). The rejection is respectfully traversed.

As an initial matter, Applicants respectfully point out that in the February 13, 2002 Office Action, the Examiner allowed amended claims 30 and 31, and un-amended claims 33, 49-51, 53-55, 59 and 63 over the same applied art (Ohgawara) as that applied in this Office Action. Further, the two previous Office Actions, dated February 13, 2002 and May 21, 2002, included specific reasons for distinguishing the allowed claims 30, 31, 33, 49-51, 53-55 and 59 over Ohgawara.

In rejecting the previously-allowed claims 30, 31, 33, 49-51, 53-55, 59 and 63, the Office Action now asserts the exact same arguments as those presented in the May 21, 2002 final Office Action to reject claims 37, 56-58, 60-62 and 64-67. The Examiner's complete turnaround regarding the rejection of claims 30, 31, 33, 49-51, 53-55, 59 and 63 is puzzling, especially since that the May 21, 2002 Office Action confirms the allowance of amended claims 30 and 31, and of un-amended claims 33, 49-51, 53-55, 59 and 63 over Ohgawara. Moreover, the April 14, 2003 Office Action fails to include even a simple statement indicating the withdrawal of allowability of claims 30, 31, 33, 49-51, 53-55, 59 and 63 and/or the Examiner's rationale for such a turnaround in the claim examination. Applicants respectfully request that the Examiner provide an explanation/rationale for rejecting the previously allowed claims 30, 31, 33, 49-51, 53-55, 59 and 63.

Applicants respectfully submit that claims 30, 31, 33, 49-51, 53-55, 59 and 63 are patentable over Ohgawara, as correctly indicated by the February 13, 2002 and May 21, 2002 Office Actions. Specifically, Ohgawara fails to teach or suggest a liquid crystal display device including, *inter alia*, a dot area having a first section and a second section, a color filter arranged in the first section, wherein no color filters are arranged in the second section, as recited in independent claim 30, and similarly recited in independent claims 56, 61 and 62.

The Office Action asserts that Ohgawara, at col. 8, lines 42-50 and in Fig. 3, discloses the features of the invention. Applicants respectfully disagree with the Office Action's interpretation of Ohgawara and its application to claims 30, 56, 61 and 62.

Ohgawara, at col. 6, lines 1-25 and in Fig. 1, discloses a display region 1 having color filters 3 disposed in pixel portions 2 (dot areas), and light shielding layers 4 disposed between the pixels 2 (dot areas). In Ohgawara, each of the pixel portions 2 (dot area) includes only one section. In Ohgawara, in the dot area, an over coating film formed of polyimide and a color filter are laminated.

Further, in Ohgawara, the color filters 3 cover the entire pixel 2 (dot area) in the display region. Thus, Ohgawara not only fails to disclose a dot area with a first section and a second section, Ohgawara also fails to disclose that a portion (e.g. second section) of the dot area is not covered by the color filter.

This is different than the recited feature of a dot area having a first section and a second section, a color filter arranged solely in the first section of the dot area (pixel), as set forth in claim 30, and similarly recited in claims 56, 61 and 62.

For at least the reasons discussed above, Applicants respectfully submit that independent claims 30, 56, 61 and 62 are patentable over Ohgawara.

Sugimoto does not provide the deficiencies in Ohgawara discussed above with respect to claim 30. Thus, Applicants submit that claims 31, 33, 49-51, 53-55, 59, 63 and 65-67, which depend from independent claims 30, 56, 61 or 62, are patentable for at least the same reasons as claims 30, 56, 61 or 62. Applicants respectfully request that the rejection under 35 U.S.C. §103(a) be withdrawn.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 30, 31, 33, 49-51, 53-56, 59, 61-63 and 65-67 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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